

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 020431.0917

In re Application of: §
NOEL TENORIO §
Serial No. **09/970,371** §
Filed: **02 OCTOBER 2001** §
For: **PROVIDING VISUALIZATION OF** §
MARKET OFFERS USING §
PATTERNS OF GEOMETRIC §
DISPLAY ELEMENTS §

Examiner: **SARA M. CHANDLER**
Art Unit: **3693**
Confirmation No.: **1757**

DECLARATION IN SUPPORT OF PETITION TO WITHDRAW HOLDING OF
ABANDONMENT BASED ON FAILURE TO RECEIVE OFFICE ACTION UNDER
37 C.F.R. 1.181

MAIL STOP: PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir/Madam:

I, Steven J. Laureanti, do hereby make the following declaration:

1. I am the patent practitioner of record, Registration No. 50,274, for the above-identified application.
2. The system used for docketing the receipt of Office Actions consists of receiving the Office Action at the correspondence address of record and entering the Office Action into an

automatic docketing software application which provides tracking of relevant dates, including the shortened statutory period for reply as set by the Examiner, as well as generation of a master docket. The automatic docketing software application is a commercial software application and is sufficiently reliable.

3. The Office Action mailed on 25 January 2008 in the subject application was not received at the correspondence address of record on file with the USPTO. As a result, the three month shortened statutory period for reply ending 25 April 2008 as well as the six month statutory period for reply ending 25 July 2008 elapsed without reply and the application is currently held abandoned.

4. A search of practitioners records including the file jacket and the master docket reveals that the Office Action mailed on 25 January 2008 was not received. A copy of the master docket report showing all Office Actions and Replies docketed for the three month shortened statutory period for reply beginning 25 January 2008 ending 25 April 2008 accompanies this declaration as Exhibit A. In addition, the non-received Office Action mailed on 25 January 2008 would have been scheduled for reply on the master docket, had it been received.

5. I acknowledge that I have reviewed the records, file jacket and master docket in compliance with my duty of candor to the Office.

15 October 2008
Date

/Steven J. Laureanti/signed
Steven J. Laureanti, Registration No. 50,274

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